

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
MIKAYEL YEGHOYAN,	:	
	:	20 Cr. 652 (VM)
Defendant.	:	
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WHEREAS, on or about December 3, 2020, MIKAYEL YEGHOYAN (the “Defendant”), was charged in five-counts of a six-count Indictment, 20 Cr. 652 (VM) (the “Indictment”), with racketeering conspiracy, in violation of Title 18, United States Code, Section 1962(d) (Count One); conspiracy to commit fraud relating to means of identification, in violation of Title 18, United States Code, Section 1028(f) (Count Two); conspiracy to commit access device fraud, in violation of Title 18, United States Code, Section 1029(b)(2) (Count Three); conspiracy to commit mail fraud and wire fraud, in violation of Title 18, United States Code, Section 1349 (Count Four); and aggravated identity theft, in violation of Title 18, United States Code, Section 1028A(a)(1) and 2 (Count Five);

WHEREAS, the Indictment included, *inter alia*, a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 1963, of a.) any interest acquired or maintained in violation of Section 1962; b.) any interest in , security of, claim against, or property or contractual right of any kind affording a source of influence over, any enterprise established, operated, controlled, conducted, or participated in the conduct of in violation of Section 1962; and c.) any property or constituting, or derived from, any proceeds obtained, directly or indirectly, from the racketeering activity charged in Count One of the Indictment;

WHEREAS, on or about April 25, 2023, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 1963, a sum of money equal to \$2,973,780.57 in United States currency, representing proceeds the Defendant obtained, directly or indirectly, from the racketeering activity charged in Count One of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$2,973,780.57 in United States currency, representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney Emily Deininger of counsel, and the Defendant, and his counsel, James R. Froccaro, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$2,973,780.57 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant MIKAYEL YEGHOYAN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By: ED/vp  
EMILY DEININGER, ESQ.  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2472

9-15-23  
DATE

MIKAYEL YEGHOYAN

By: [Signature]  
MIKAYEL YEGHOYAN

9/15/23  
DATE

By: [Signature]  
JAMES FROCCARO, ESQ.  
Attorney for Defendant  
20 Vanderventer Avenue, Suite 103W  
Port Washington, NY 11050

9/15/23  
DATE

SO ORDERED:

[Signature]  
HONORABLE VICTOR MARRERO  
UNITED STATES DISTRICT JUDGE

9-15-2023  
DATE